

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE HONORABLE BOARD OF PATENT APPEALS AND INTERFERENCES

In re the Application of James G. Shanahan et al.

Confirmation No. 2107

Application No.: 09/543,962

Examiner: Maikhanh Nguyen

Filed: April 7, 2000

Docket No.: 99458-US-NP

For: META-DOCUMENT AND METHOD OF MANAGING

Mail Stop: Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

RESPONSE TO OFFICE COMMUNICATION MAILED 01/06/2008

In response to the Office Communication mailed January 8, 2008, in which the Examiner asserted that the Appeal Brief was non-compliant with the requirements of 35 CFR 41.37 in that the “Summary of the Claimed Subject Matter” was deficient, Appellants are transmitting herewith a substitute Appeal Brief with a corrected “Summary of the Claimed Subject Matter”. The Examiner asserted that mapping some of the claim limitations from pages 38-41 was confusing and incomplete.

The original patent application [“pa”] was filed with 43 pages, of which claims 1-37 constitute description and pages 38-42 constitute the original claims and page 43 is the abstract of the disclosure. According to MPEP 608.01(I), Original Claims, “[i]n establishing a disclosure, applicant may rely not only on the description and drawing as filed but also on the original claims if their content justifies it.” Hence, Appellants rely on the original claim language as support for particular claim limitation.

Respectfully submitted,

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